

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNIVERSAL LIFE CHURCH MONASTERY STOREHOUSE,

Plaintiff,

V.

AMERICAN MARRIAGE MINISTRIES, et al.,

Defendants.

CASE NO. C19-0301RAJ

ORDER GRANTING MOTION
TO SEAL

Before the court is Defendants Maurice King, Lewis King, Glen Yoshioka, and Wall and Defendant / Counter-claimant American Marriage Ministries' ("AMM") respectively, "Defendants"¹) amended motion to seal exhibits 1, 15-18, and 20 to the sealed declaration of Sheeba Roberts in support of Defendants' motion for summary ent. (Am. Mot. (Dkt. # 209); *see* Am. Roberts Decl. (Dkt. # 210); Sealed Exs.

¹ On July 13, 2021, the parties stipulated to the voluntary dismissal with prejudice of Defendant Sara White. (7/13/21 Stip. (Dkt. # 223).)

1 (Dkt. # 219 (sealed)).) Plaintiff Universal Life Church Monastery Storehouse (“ULC
 2 Monastery”) opposes Defendants’ motion in part. (Resp. (Dkt. # 216).) The court has
 3 reviewed the motion, the submissions in support of and in opposition to the motion, the
 4 remainder of the record, and the applicable law. Being fully advised, the court GRANTS
 5 Defendants’ amended motion to seal.

6 When deciding a motion to seal, courts “start with a strong presumption in favor
 7 of access to court records.” *Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1135
 8 (9th Cir. 2003) (citing *Hagestad v. Tragesser*, 49 F.3d 1430, 1434 (9th Cir. 1995)).
 9 Because Defendants have submitted the sealed documents at issue here in support of a
 10 motion that is “more than tangentially related to the merits of [this] case,” the court
 11 applies the compelling reasons standard to determine whether sealing is appropriate. *See*
 12 *Ctr. for Auto Safety v. Chrysler Grp.*, 809 F.3d 1092, 1098-102 (9th Cir. 2016). Under
 13 this standard, the party seeking to seal a judicial record bears the burden of showing that
 14 “compelling reasons supported by specific factual findings . . . outweigh the general
 15 history of access and the public policies favoring disclosure.” *Kamakana v. City & Cnty.*
 16 *of Honolulu*, 447 F.3d 1172, 1178-79 (9th Cir. 2006). “Compelling reasons” include the
 17 protection of trade secrets or “business information that might harm a litigant’s
 18 competitive standing.” *Id.* at 1179. Below, the court applies these standards to the
 19 documents at issue.

20 Exhibit 1 consists of excerpts of the May 5, 2020 deposition testimony of Dallas
 21 Goschie, ULC Monastery’s operations manager. (Am. Roberts Decl. ¶ 3; Sealed Exs.,
 22 Ex. 1.) Defendants seek to seal this document pursuant to the parties’ stipulated

1 protective order because ULC Monastery designated this testimony as “Confidential” and
2 “Attorneys Eyes Only.” (See Stip. Prot. Order (Dkt. # 26) at 5; Am. Mot. at 3-4.) ULC
3 Monastery has proposed redactions to the exhibit to conceal information about its
4 revenues and a “specific [business] practice of ULC Monastery.” (Resp. at 7; *see*
5 Goschie Decl. (Dkt. # 217) ¶¶ 4-8 (explaining need for redactions); Galletch Decl. (Dkt.
6 # 218) ¶ 9, Ex. 5 (proposing redactions).) Defendants contend that ULC Monastery’s
7 proposed redactions do not obviate the need to seal because Defendants rely on the
8 redacted testimony in their motion for summary judgment. (Am. Mot. at 3-4; Reply at
9 4-5.) The court agrees that ULC Monastery’s business needs provide compelling reasons
10 to maintain the redacted information under seal. Nevertheless, the court also finds that
11 the redacted version of the transcript should be filed on the docket in the interest of public
12 access to that information. Accordingly, the court GRANTS Defendants’ motion to seal,
13 DIRECTS the Clerk to maintain exhibit 1 to the amended Roberts declaration under seal,
14 and ORDERS Defendants to file the redacted version of exhibit 1 on the docket within
15 five days of the filing date of this order.

16 Exhibits 16, 17, and 18 consist of documents produced by ULC Monastery labeled
17 ULC 4759, ULC 4831, and ULC 4835. (Am. Roberts Decl. ¶¶ 17-19; Sealed Exs., Exs.
18 16-18.) Defendants seek to seal these documents pursuant to the parties’ stipulated
19 protective order because ULC Monastery designated them as “Attorneys Eyes Only.”
20 (Am. Mot. at 4.) The documents contain Google Analytics data regarding various ULC
21 Monastery websites. (See Resp. at 7-9.) ULC Monastery asserts that these documents
22 contain confidential information regarding its business practices and that disclosure could

enable a competitor to gain an unfair advantage in the marketplace. (*Id.*; *see also* Goschie Decl. ¶¶ 9-12 (explaining justifications for sealing).) The court agrees that ULC has met its burden to provide compelling business reasons to maintain the redacted information under seal. Accordingly, the court GRANTS Defendants' motion to seal exhibits 16-18 to the amended Roberts declaration and DIRECTS the Clerk to maintain these exhibits under seal.

Exhibits 15 and 20 consist of documents produced by AMM labeled AMM-3879 and AMM-3800. (Am. Roberts Decl. ¶¶ 16, 21; Sealed Exs., Exs. 15, 20.) Defendants seek to seal these documents pursuant to the parties' stipulated protective order because AMM designated them as "Confidential" and "Attorneys Eyes Only." (Am. Mot. at 4.) They contend that these documents contain confidential and proprietary information regarding AMM's web analytics and financials. (*Id.*; *see also* Reply at 5-6.) ULC Monastery urges the court to deny Defendants' motion to seal these documents because Defendants did not provide factual and legal support for sealing in their motion as required by Local Civil Rule 5(g)(3)(B). (Resp. at 6 (citing Local Rules W.D. Wash. LCR 5(g)(3)(B)).) The court agrees that Defendants should have provided additional factual and legal support in their original motion to seal. Nevertheless, Defendants provided legal authority in support of their motion to seal with their reply (*see* Reply at 5-6) and the court finds that it would be inequitable to grant Defendants' motion to seal ULC Monastery's Google Analytics documents but deny their motion to seal substantially similar documents relating to AMM's website analytics. Accordingly, having found compelling business reasons to maintain AMM's website analytics under

1 seal, the court GRANTS Defendants' motion to seal exhibits 15 and 20 to the amended
2 Roberts declaration, and DIRECTS the Clerk to maintain these exhibits under seal.

3 For the foregoing reasons, the court GRANTS Defendants' amended motion to
4 seal (Dkt. # 209). Specifically:

5 1. The court GRANTS Defendants' motion to seal the unredacted version of
6 exhibit 1 to the amended Roberts declaration (Sealed Exs. (Dkt. # 219), Ex. 1), DIRECTS
7 the Clerk to maintain exhibit 1 to the amended Roberts declaration under seal, and
8 ORDERS Defendants to file the redacted version of exhibit 1 on the docket within five
9 (5) days of the filing date of this order; and

10 2. The court GRANTS Defendants' motion to seal exhibits 15-18 and 20 to
11 the amended Roberts declaration (Sealed Exs., Exs. 15-18, 20) and DIRECTS the Clerk
12 to maintain these exhibits under seal.

13 Dated this 31st day of March, 2022.

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17 The Honorable Richard A. Jones
18 United States District Judge
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